

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

**STATE OF KANSAS, STATE OF
NORTH DAKOTA, *et al.*,**

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 1:24-cv-00150-DMT-CRH

DEFENDANTS' NOTICE OF COMPLIANCE

As ordered by the Court, *see* ECF Nos. 87, 98, prior to 5:00 p.m. CT today, Defendants produced to counsel for North Dakota the names and addresses of the DACA recipients who listed a North Dakota mailing address or present residence in the State on their most recent Form I-821D, excluding the three individuals whose information is protected under 8 U.S.C. § 1367(a)(2).¹ Defendants maintain that this information cannot and will not cure North Dakota's standing or venue problems. *See* Mot. for Reconsideration, ECF No. 90; Reply in Support of Reconsideration, ECF No. 93. However, Defendants understand that North Dakota will make a submission regarding its alleged costs supposedly caused by the Final Rule by November 12, 2024. Defendants respectfully request an opportunity to respond to this submission within seven days of its filing. The parties have conferred regarding this request, and Plaintiffs have informed Defendants that they believe further briefing regarding standing and venue is unnecessary and that they reserve the right to seek leave to file a reply to Defendants' response.

¹ Defendant initially determined that two individuals' information was protected by 8 U.S.C. § 1367(a)(2). *See* Mot. for Reconsideration at 8 n.4, ECF No. 90. However, Defendants have subsequently identified an additional individual to whom the protections apply. Defendants informed North Dakota of this development, and the State raised no objection to withholding this individual's name and address.

Dated: October 29, 2024

Respectfully submitted,

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